



CASCADE COUNTY COMMISSION MEETING
December 27, 2016
COMMISSION CHAMBERS
COURTHOUSE ANNEX, ROOM 111
9:30 A.M.

Notice: These minutes are paraphrased and reflect the proceedings of the Board of Commissioners. MCA 7-4-2611 (2) (b). These minutes were officially approved at the January 24, 2017 meeting.

Commission: Chairman Joe Briggs, Commissioner Jim Larson Commissioner Jane Weber excused.

Present: Patty Boyle, Marty Harvie, Rachel Shane, Ryan Pachek, Diana Johnson, Fred Johnson, Sandra Prichard, Burton Prichard, James McKinney, Ann Rockwell, Nick Rockwell, Joe Murphy, Eileen Hyndman, Buster Hyndman, Erin Merchant, Trixie Smith, Steve Erwin, Alex Dachs, Don Sims, Tanya Houston, Bonnie Fogerty, and Marie Johnson.

Reading of the Commissioners calendar: Bonnie Fogerty read the weekly calendar.

Treasurer's Monthly Report of Bank Balances, Investments, Revenues, and Disbursements. Patty Boyle read this report, which can be found in Agenda packet dated December 27, 2016.

Purchase orders and accounts payable warrants: Commissioner Larson made a **MOTION** to approve purchase orders and accounts payable checks #271038 thru #271209 totaling \$823,757.73 and EFT's #9100025 through #9100035 totaling \$1637.89 for an AP total of \$825,395.62 dated 12/06/2016 thru 12/09/2016. **Motion carries 2-0**

Consent agenda: The consent agenda is made up of routine day-to-day items that require Commission action. Any Commissioner may pull items from the Consent Agenda for further discussion/vote.

Approval of the Minutes and Consent Agenda Items: Commissioner Larson made a **MOTION** to approve minute entries (no minutes' entries at this time). In addition, routine resolutions and contracts as follows;

Board Appointments:

Dearborn Fire Service Area 1 Vacancy Jill Parker applicant was appointed with a term expiring May 31, 2019

Planning Board 2 Vacancies Ken Thorton is requesting reappointment and was appointed with his term expiring December 31, 2018 with the other vacancy will be reposted.

Zoning Board of Adjustments 3 Vacancies William Austin, Leonard Reed, and Brian Ruckman all requesting re-appointment and were appointed with a term expiring December 31, 2018.

See Agenda Item #1 for the appointments to the Board of Health and the Weed and Mosquito Board.

Contract 16-224: Collective Bargaining Agreement by and between Cascade County and AFSCME MT Council 9 Local #28 (Adult Detention Officers) Effective dates July 1, 2016 – June 30, 2019. *R0333189*

Contract 16-225: Letter of Understanding between Cascade County and the Public Employees Craft Council Effective Dates: December 13, 2016 – June 30, 2019 (Refers to Contract 15-66, R0308720). *not recorded at this time*

Contract 16-226: The Office Center Equipment Service Contract #2136 for printer Model #TASKalfa4002i at the Sheriff's Office Booking Area. Effective Dates November 15, 2016-November 14, 2017. Annual Amount \$360.00 *R0333349*

Contract 16-227: The Office Center Equipment Service Contract #2135 for Printer Model #TASKalfa4002i at the Sheriff's Office Records area. Effective Dates: November 15, 2016 - November 14, 2017. Annual Amount: \$360.00 *R0333350*

Contract 16-228: The Office Center Equipment Service Contract #2137 for Printer Model #TASKalfa4002i at the Sheriff's Office Annual Amount: \$360.00 *R0333351* Administrative area. Effective Dates: November 15, 2016 - November 14, 2017.

Contract 16-229: The Office Center Equipment Service Contract #2099 for Printer Model #FS4100DN at the Sheriff's Office Central area. Effective Dates: October 15, 2016 - October 14, 2017. Annual Amount: \$360.00 *R0333352*

CITY/COUNTY HEALTH DEPARTMENT

Resolution 16-121: Budget Appropriation for the first three quarters of the Buckle up Montana program contract. Effective Dates: October 1, 2016 - June 30, 2017. Total Amount: \$26,250. (Reference: Contract 16-179, R0330182) *R0333184*

Resolution 16-122: Budget Appropriation for the MT DPHHS, Task Order Number 16-07-5-01-101-0, MECHV SafeCare Program Amendment #2. Effective Dates: October 1, 2016 - December 31, 2016. Total Amount: \$23,708. (Ref: Contract 16-187, R0330758) *R0333185*

Resolution 16-123: Budget Appropriation for the MT DPHHS, Task Order Number 16-07-5-01-085-0, MECHV Expansion Program Amendment #2. Effective Dates: October 1, 2016 - December 31, 2016. Total Amount: \$55,997. (Ref: Contract 16-188, R0330759) *R0333186*

Contract 16-230: MT DPHHS Task Order 15-07-4-51-004-0, Amendment #2 HIV Prevention Services Effective Dates: February 15, 2015 - December 31, 2017. Total Amount: \$29,792. (Ref: Contract 15-09, R0317162) *R0333743*

Contract 16-231: Screenvision, Local Advertising Agreement. Screenvision, Local Advertising Agreement. This agreement will provide a thirty (30) second commercial to air before every movie in all the auditoriums at the Great Falls Carmike Theater, for the length of the contract. The commercial will promote and expose ReAct Montana to the youthful demographic. Effective: Date of signing for 26 weeks. Total Amount: \$1,560. *R0333475*

♦ Contract 16-232: MT DPHHS Task Order 17-07-5-41-167-0, Healthy Montana Families. Purpose: To provide home visiting and family services as required by the

program. Effective Dates: January 1, 2017-June 30, 2018. Total Amount not to exceed: \$316,203.75 **Motion carries 2-0** R0333742

AGENDA ITEM #1

MOTION TO APPOINT MEMBERS TO THE BOARD OF HEALTH AND WEED AND MOSQUITO BOARD

Board of Health Appointments:

- (1) 3-year terms Term Expires: December 31, 2019
Applicants: Terry Barber, Elena Baugh, Laurie Glover

Chairman Briggs announced that all the applicants were good and encouraged them to apply for other board openings available. Commissioner Larson mentioned that Ms. Baugh is encouraged to apply for the City/County Health Board and Ms. Glover is encouraged to apply for the new Aging Board.

Commissioner Larson made a **MOTION** to appoint Terry Barber to the Board of Health for a 3-year term to expire December 31, 2019. **Motion carries 2-0**

Weed and Mosquito Board Appointments:

- (2) 2-year terms Term Expires: December 31, 2018
Applicants: Stan Meyer, Randy Setzer, Scott Wethern

Commissioner Larson made a **MOTION** to appoint Stan Meyer and Randy Setzer to the Weed and Mosquito Board for a 2-year term to expire December 31, 2018. **Motion carries 2-0**

AGENDA ITEM #2 PUBLIC HEARING

MOTION TO APPROVE/DISAPPROVE: Resolution 16-124

Petition to discontinue a County Street or Alley in an Unincorporated Town or Townsite R0327765

Chairman Briggs recessed the regular meeting and opened the public meeting at 9:48 a.m.

Public Notice- The reading of the Public Notice was waived without objection and placed into the record (see Exhibit "A").

Planning Department- Don Sims presented this discontinuation by reading the synopsis found in the Agenda dated December 27, 2016.

Mr. Sims announced that the Planning Department was not in favor of this discontinuation due to the concerns about easements needed and the storm water and sewer system.

There was further discussion about needed easements and how this was first treated, as an abandonment then became a discontinuation, which is the same process. It was also noted, that all the owners signed the petition.

Written Testimony- Chairman Briggs asked for written testimony, in which there was none.

Applicant- Chairman Briggs invited the applicant to speak.

Marty Harvie of 940 21st Ave S. spoke for applicant Ryan Pachek; Mr. Harvie stated that this was initiated to allow them to maintain the property since they own property on both sides and it has not been used as a road. The abandonment would allow them to keep out traffic flow and develop the land. He also stated that they would allow any utility easements that were needed and they would not build on the easement.

Commissioner Larson questioned the location of the church Praise Tabernacle and if it was part of this property, Mr. Harvie stated that it was across the street.

Proponents- Chairman Briggs called for Proponents three times in which no one commented.

Opponents- Chairman Briggs called for Opponents.

Fred Johnson 1425 23rd Ave S. spoke in opposition of this abandonment. He stated he and his wife have lived there for 58 years, and they are against this proposal. He shared his concerns about the loss of value on his property, and his concerns that 6 to 8 feet of fill dirt that was added which has caused a dam. He questioned if they needed a permit or contract with the County to do this.

Carey Ann Haight confirmed that a permit would be needed to add dirt to this road.

Mr. Johnson also submitted 4 (four) hand written sheets of testimony (See attached Exhibit "B" and "C").

Chairman Briggs called for Opponents.

Jim McKinney 2215 13th St. S. stated he was opposed to this abandonment due to the fact he does not want the road blocked off. He also spoke about the drainage issues and his hopes of getting it annexed in the future.

Burton Prichard 1419 23rd Ave S. provided a google map pointing out the pond. He stated if this keeps being built up the pond will be in his house, he would like to see this drainage properly mitigated. He also voiced his concerns about needed easements for City water and sewer. In closing, he recommended the Commission deny this abandonment and have the property returned to its regular elevation.

Opponents- Chairman Briggs called for Opponents three times in which no one else commented.

Chairman Briggs called for Informational Witnesses in which no one responded.

Marty Harvie of 940 21st Ave S. requested to speak again. He stated that Rick from the County gave him permission to place the dirt there and that it had been wet 6 to 7 months a year. He again requested that it be closed off so he could maintain it and keep it looking good. He stated he is a good neighbor.

Fred Johnson 1425 23rd Ave S. continued to share his concerns about the storm water runoff.

Commissioner Larson had questions about easements and a storm water plan for this area.

Don Sims stated that there was no engineer involved or a storm water plan for this area. He suggested that we request additional information from applicant.

Chairman Briggs noted that easements need to be defined and a water run off plan needs to be created with the approval from DEQ.

Commissioner Larson stated that all testimony indicates there are water issues and a definite plan.

Chairman Briggs closed the public hearing and reconvened the regular meeting at 10:38 a.m.

Chairman Briggs called for public comment;
Public Participation in decisions of the Board and allowance of public comment on matters the Commission has jurisdiction, on items not covered by Today's agenda. (MCA 2-3-103) No public comment was given.

Adjournment: Chairman Briggs adjourned this Commission meeting at 9:49 a.m.